

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KATHLEEN COX,

Plaintiff,

v.

TOYS “R” US, INC.,

Defendant.

Case No. 2:05-CV-00615-KJD-VCF

ORDER

Before the Court is Defendant’s Motion to Confirm Unavailability of Witnesses (#137). Plaintiff has filed a response (#144) and Defendant has filed a reply (#142).

When this Motion was filed, trial was scheduled for July 23, 2012. Trial in this matter has been rescheduled for November 19, 2012. Accordingly, the parties have been able to resolve many of the issues raised in the Motion. Plaintiffs have agreed to Defendant’s designation of the entire transcript of Ashley Eining, and have agreed to provide transcript designations for the Depositions of Seymour Kronberg, Joy Stich, and Kevin Cooney to Defendant. Defendants may object to these designations through pretrial motions. The parties agree that further service efforts will be undertaken for Fatima Lopez.

1 Accordingly, **IT IS HEREBY ORDERED** that Defendant's Motion to Confirm
2 Unavailability of Witnesses (#137) is **GRANTED** as set forth in this order.

3 DATED this 4th day of September 2012.

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8 Kent J. Dawson
9 United States District Judge
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